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Petition of Legislative Assembly of British Columbia to the Queen, respecting Canadian Pacific Railway, March 25, 1881.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's most dutiful and loyal subjects, the Members of the Legislative Assembly of the Province of British Columbia, in the Fourth Session of the Third Parliament assembled, humbly approach Your Majesty for the purpose of representing—

1. That the Province was mainly induced to enter into the Dominion Confederation in 1871, by the offer and agreement on the part of the Dominion, as appears by the Treaty of Union of that year, to construct and complete a Railway on or before July, 1881, through British Territory, connecting British Columbia with the Eastern Provinces.

2. That, on the 31st day of July, 1874, the Government of this Province presented a humble Petition to Your Majesty respecting the non-fulfilment by the Dominion of its Railway obligations towards British Columbia, as are contained in the Treaty of Union between the Dominion and British Columbia, assented to by Your Majesty in the year 1871.

3. That negotiations thereupon ensued, which resulted in Your Majesty's Principal Secretary of State for the Colonies (the Earl of Carnarvon) signifying his decision on the question in dispute, which decision, it is important to observe, was assented to by the Dominion Government.

4. That the following, amongst other conditions, form part of this decision:—

(a.) "That the Railway from Esquimalt to Nanaimo shall be commenced as soon as possible and completed with all practicable dispatch.

(b.) "That \$2,000,000 a year, and not \$1,500,000, shall be the minimum expenditure on railway works within the Province from the date at which the surveys are sufficiently completed to enable that amount to be expended on construction. In naming this amount I understand that, it being alike the interest and the wish of the Dominion Government to urge on with all speed the completion of the works now to be undertaken, the annual expenditure will be as much in excess of the minimum of \$2,000,000 as in any year may be found practicable.

(c.) "Lastly, that on or before the 31st December, 1890, the Railway shall be completed and open for traffic from the Pacific seaboard to a point on the western end of Lake Superior, at which it will fall into connection with the existing lines of railway through a portion of the United States, and also with the navigation on Canadian waters. To proceed at present with the remainder of the railway extending, by the country northward of Lake Superior, to the existing Canadian lines, ought not, in my opinion, to be required, and the time for undertaking that work must be determined by the development of settlement and the changing circumstances of the country. The day is, however, I hope, not very distant when a continuous line of Railway through Canadian territory will be practicable, and I therefore look upon this portion of the scheme as postponed rather than abandoned."

5. That owing to the total disregard by the Dominion of these and other conditions contained in the Settlement so effected, the Legislative Assembly, early in the Session of 1876, unanimously passed an humble Address to Your Majesty, praying that Your Majesty would be graciously pleased to cause the Dominion Government to carry out the agreement above referred to.

6. That, in reply to the said Address, Your Majesty's said Secretary of State was pleased to advise the Province to submit to railway construction being deferred until the spring of 1878, in order to enable the Dominion Government, during the year 1877, to solve some doubtful points connected with the railway route; and that the delay mentioned was conceded in deference to His Lordship's wishes, without prejudice, however, to the rights of the Province.

7. That the Dominion Government having, up to the month of August, 1878, failed to commence Railway construction in the Province, the Legislative Assembly, on the 30th of August of the same year, further humbly addressed Your Majesty on the subject.

PETITION OF BRITISH COLUMBIA.

8. That, for the purpose of avoiding needless repetition, and of affording Your Majesty the fullest information on this subject, Your Petitioners crave leave to refer Your Majesty to the contents of the above-mentioned Addresses presented to Your Majesty, and to the several documents therein referred to.

9. That, in the Spring of 1880, the work of construction was commenced by the Dominion in the interior of the Province, but not from its seaboard, or between Esquimalt and Nanaimo.

10. That it is believed that arrangements have lately been made between the Dominion and a Syndicate, or Company of capitalists, for the construction of the Canadian Pacific Railway by 1891; which arrangements include about 500 miles of Railway North of Lake Superior, but exclude the section of 70 miles of Railway between Esquimalt and Nanaimo.

11. That, under the Treaty of Union, it was expressly stipulated and agreed that Railway construction should be commenced from the seaboard of the Province; and under the Settlement effected in 1874, it was, as has been shown above, also expressly stipulated and agreed that the section of the Railway between Esquimalt and Nanaimo should be constructed and completed with all practicable dispatch, and that construction of the line North of Lake Superior should be deferred until after the completion of the railway communication between the seaboard of the Province and Lake Superior.

12. That, although the Dominion Government has never questioned the right or claim of the Province to have the Railway commenced from its seaboard, and has moreover acknowledged that the Province is entitled to have the section of the line between Esquimalt and Nanaimo constructed, yet no provision has been made by them for the fulfilment of these portions of their Railway obligations.

13. That, by the Treaty of Union, British Columbia was allowed to retain its own Tariff until the Canadian Pacific Railway should be completed, but believing in the good faith of the Dominion, and being desirous of promoting Confederation in its true sense, the Province surrendered its Tariff in 1872, and adopted the Tariff of the Dominion.

14. That, since the Province adopted this course, the Tariff of the Dominion has been largely increased, to the serious injury of British Columbia, upon whom increased burdens have been thereby placed without any of the compensating advantages which are, in consequence of such increase, enjoyed by the Eastern Provinces of the Dominion.

15. That the time originally agreed upon in the Treaty of Union, for constructing the Canadian Pacific Railway, will expire in July of this year without the terms thereof, as to railway construction, having been even approximately fulfilled, no portion of the Canadian Pacific Railway having up to the present time, been constructed and equipped in the Province.

16. That, under the circumstances herein and in the said Addresses set forth, Your Petitioners humbly pray—

- (a.) That Your Majesty will be graciously pleased to cause the Dominion Government to be moved to carry out their Railway obligations to the Province, by providing for the immediate commencement and active prosecution of railway work on the section of the Canadian Pacific Railway lying between Esquimalt and Nanaimo, and by constructing the portion of line between Port Moody and Yale;
- (b.) That the Province be permitted to regulate and collect its own Tariff of Customs and Excise until through communication by Railway be established through British Territory with the Eastern Provinces;
- (c.) That in any event compensation be awarded by the Dominion to the Province for the losses inflicted upon the latter by reason of the breaches of agreements and delays herein referred to.

And Your Petitioners, as in duty bound, will ever pray.

FREDCK. WILLIAMS,
Speaker of Legislative Assembly.

VICTORIA, BRITISH COLUMBIA, 25th March, 1881.

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